



FAIR POLITICAL PRACTICES COMMISSION

428 J Street • Suite 620 • Sacramento, CA 95814-2329

(916) 322-5660 • Fax (916) 322-0886

March 15, 2010

✓ Korina Tabarez

REDACTED

Shanna Panela

REDACTED

RE: Advisory Letter

FPPC Case No. 100118; Korina Tabarez, Shanna Panela, and Concerned Parents and Citizens - CPAC

Dear Ms. Tabarez and Ms. Panela:

The Fair Political Practices Commission (FPPC) enforces the provisions of the Political Reform Act (the Act).¹ We recently received a complaint against you and Concerned Parents and Citizens (CPAC), a copy of which is enclosed, alleging that you and CPAC have violated the campaign disclosure provisions of the Act.

Among other things, the Act imposes reporting requirements on organizations, called committees, formed to recall elected officeholders. The flyers submitted in the complaint expressly advocate the recall of two school board candidates, which means that, when payments made for the costs of such communications total \$1,000, CPAC will be required to register as a committee. The first filing required for a recipient committee is the Statement of Organization (Form 410), due within 10 days of receiving contributions totaling \$1,000. (Section 84101.) Funds expended to expressly advocate the recall of the officeholders are considered to be contributions to the committee. Because the contributions received and expenditures made are for the purpose of qualifying or supporting a potential recall, the committee will be required to file periodic campaign reports as a primarily formed ballot measure committee. (Section 82047.5.) The filing requirements for primarily formed ballot

¹ The Political Reform Act is contained in Government Code sections 81000 through 91014. All statutory references are to the Government Code, unless otherwise indicated. The regulations of the Fair Political Practices Commission are contained in sections 18109 through 18997 of Title 2 of the California Code of Regulations. All regulatory references are to Title 2, Division 6 of the California Code of Regulations, unless otherwise indicated.

measure committees are explained in detail in the FPPC Campaign Information Manual 3, which is available on our website.

After review of the complaint, we have decided to close this matter without commencing further investigation. The FPPC publishes forms and manuals to facilitate compliance with the Act. If you need forms or a manual, or guidance regarding your obligations, please call the FPPC's Technical Assistance Division at (916) 322-5660. Please also visit our website at www.fppc.ca.gov.

If you have questions regarding this matter, please contact me at (916) 322-8194.

Sincerely,

REDACTED

Adrianne Korchmaros
Political Reform Consultant
Enforcement Division

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Enclosure

cc: Diana Harvey w/o enclosure